REMARKS

This application has been reviewed in light of the Office Action dated December 8, 2003. Claims 1, 3, 5, 10-28, 33, 37-57, and 61-70 are presented for examination, of which Claims 1, 10, 15, 19, 24, 28, 33, 44, 50, 55-57, 61, 65, 69, and 70 are in independent form. Favorable reconsideration is requested.

Claims 1, 3, 5, 10, 12, 15, 17-19, 21, 24, 28, 33, 44, 46, 50, 55-57, 61, 63-65, and 67-70 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,872,869 (Salgado et al.) in view of U.S. Patent No. 5,671,404 (Lizee et al.). Claims 11, 13, 14, 16, 20, 22, 23, 25-27, 37-43, 45, 47-49, 51-54, 62, and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Salgado et al. in view of Lizee et al., and further in view of U.S. Patent No. 6,348,971 (Owa et al.). Applicants respectfully traverse the rejections and submit that independent Claims 1, 10, 15, 19, 24, 28, 33, 44, 50, 55-57, 61, 65, 69, and 70, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

An aspect of the present invention set forth in Claim 1 is directed to a device search system that includes a server unit and a client unit. The client unit includes first and second request means, recognition means, and output means. The first request means requests the server unit to execute a first search in accordance with a number of attributes in order to search for a desired device on a network. The recognition means recognizes whether result information obtained from the first search executed by the server unit shows a presence or an absence of at least one device. The second request means requests the server unit to execute a

second search in accordance with a part of the number of attributes used for the first search in order to search for a desired device on the network, in response to a recognition by the recognition means that the result information shows the absence of at least one device. The output means outputs a search result from the first search when the recognition means recognizes that the result information shows the presence of at least one device, and outputs a search result from the second search, which shows, for each device completely meeting attributes used for the second search, that the device meets the attributes used for the second search, and shows, for each device incompletely meeting the attributes used for the second search, at least one of the attributes that the device meets and a remainder of the attributes distinguishably from each other, when the recognition means recognizes that the search result information shows the absence of at least one device.

One of the notable features of Claim 1 is that if the first search fails on the first search condition, a second search is made on a second condition. The second search condition is formulated by extracting or removing some attributes from the first search condition. In other words, the second search condition is a part of or a smaller subset of the first search condition. Therefore, the second search condition necessarily is broader than the first search condition.

Salgado et al. relates to the processing of jobs on a network document processing system, and more particularly to the use of a metaphor template, representative of a proposed job ticket with status information and control metaphors. As understood by Applicants, Salgado et al., at column 7, line 61, to column 8, line 19, discloses a search mechanism in which the search condition for a second search (or any subsequent search) simply is different from that

for the first search (or any earlier searches). The second search condition in Salgado et al. is not a part or a subset of the first search condition.

Furthermore, Applicants submit that the output means of Claim 1 is not rendered obvious by Salgado et al. The claimed output means is used to output search result from the first search when the recognition means recognizes that the result information shows the presence of at least one device. The output means outputs the search result from the second search when the recognition means recognizes that the result information shows the absence of at least one device. The search result from the second search shows, for each device completely meeting attributes used for the second search, that the device meets the attributes used for the second search, and, for each device incompletely meeting the attributes used for the second search, at least one of the attributes that the device meets and a remainder of the attributes distinguishably from each other.

Salgado et al. is understood to teach that indicators are provided for each metaphor element to facilitate a job ticket creation process in several respects. For example, status indicators are provided to indicate an operational status of a corresponding device and not a result of a search. The status indicators allow a user to modify the search in order to facilitate the job, but do not indicate which elements of the search were successfully located. (See column 22, lines 20-67.) Therefore, Salgado et al. fails to teach or suggest the second request means or the output means of Claim 1.

Lizee et al. relates to an Automatically Relaxable Query (ARQ) system. As understood by Applicants, Lizee et al. discloses that a list of query conditions is ordered in

descending degree of importance. That is, a condition C2 is less important than C1, and similarly C3 is less important that C2 and C1, and so on. (See column 2, lines 29-34.) As shown in Fig. 2, if a query comprising elements C1 and C2 fails, then a query comprising C1 and C3 is attempted. Note that, although it is true that condition C3 is less important than C2, a subsequent search using C1 and C3 is not obtained by extracting some attributes from C2. Condition C3 is understood to be completely separate and unique from C2 or C1. Therefore, Lizee et al. fails to teach or suggest the second request means of Claim 1.

Additionally, Applicants believe that Lizee et al. is unrelated to the subject matter of Claim 1, because it is directed towards an Automatically Relaxable Query (ARQ) system and not a database device search system.

Applicants submit that a combination of Salgado et al. and Lizee et al., assuming such a combination would even be permissible, would fail to teach or suggest the second request means or the output means of Claim 1. Accordingly, Applicants submit that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 10, 15, 19, 24, 28, 33, 44, 50, 55-57, 61, 65, 69, and 70 all include one or both of the second requesting means and the output means, discussed above, and therefore are believed to be patentable for at least the above reasons. Additionally, the other rejected claims in this application depend from one or another of the independent claims discussed above, and therefore also are submitted to be patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention,

individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

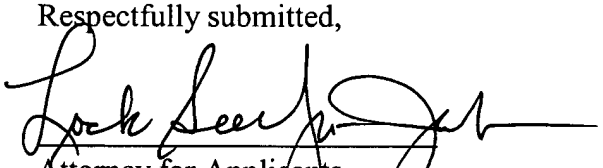
The present Response After Final Action is believed clearly to place this application in condition for allowance. Therefore, its entry is believed proper under 37 C.F.R. § 1.116 and is respectfully requested, as an earnest effort to advance prosecution and reduce the number of issues. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicants
LOCK SEE YU-JAMES
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 395895v1